

**From:** Chris Klick  
**To:** Microsoft ATR  
**Date:** 1/18/02 10:43pm  
**Subject:** Microsoft Settlement

Dear DOJ:

Despite the fact that the appeals court found Microsoft to have abused monopoly powers, I urge you to settle this case by dropping it, apologizing to Microsoft, and paying their lawyers' fees. Then you should close your antitrust division and wrap up paperback copies of "Atlas Shrugged" to serve as the severance package for your laid-off lawyers.

You should drop the case because antitrust law is immoral. It infringes upon businesses' inviolate property rights. Worse, it targets the most successful businesses because and to the extent that they are successful. Therefore it is ragingly anti-capitalist, like the progressive income tax.

Secondarily, from a legal standpoint, antitrust law is ex post facto and therefore unconstitutional. There is no way for a business to know that it is violating the Sherman Act until a court, years later, defines its "market" at the time of the alleged violation. Even if Microsoft itself (as evidenced by their emails) intended to dominate a recognized "market" at the time, this means objectively nothing. It was only Microsoft's opinion at the time.

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